

Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1, of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	United States Navy – Naval Medical Center, Portsmouth
Facility Name:	Naval Medical Center, Portsmouth
Facility Location:	620 John Paul Jones Circle Portsmouth, Virginia 23708
Registration Number:	60293
Permit Number:	TRO60293

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Sections I through IX)

November 14, 2007

Effective Date

November 13, 2012

Expiration Date

Francis L. Daniel

November 14, 2007

Signature Date

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I. Facility Information

Permittee

United States Navy – Naval Medical Center, Portsmouth
620 John Paul Jones Circle
Portsmouth, Virginia 23708-2197

Responsible Official

Commander, Naval Medical Center, Portsmouth

Facility

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County-Plant Identification Number: 51-740-00007

Facility Description:

NAICS 622 – Hospitals

Industries in the Hospitals subsector provide medical, diagnostic, and treatment services that include physician, nursing, and other health services to inpatients and the specialized accommodation services required by inpatients. Hospitals may also provide outpatient services as a secondary activity. Establishments in the Hospitals subsector provide inpatient health services, many of which can only be provided using the specialized facilities and equipment that form a significant and integral part of the production process.

NAICS 6221 – General Medical and Surgical Hospitals

NAICS 62211- General Medical and Surgical Hospitals

This industry comprises establishments known and licensed as general medical and surgical hospitals primarily engaged in providing diagnostic and medical treatment (both surgical and nonsurgical) to inpatients with any of a wide variety of medical conditions. These establishments maintain inpatient beds and provide patients with food services that meet their nutritional requirements. These hospitals have an organized staff of physicians and other medical staff to provide patient care services. These establishments usually provide other services, such as outpatient services, anatomical pathology services, diagnostic X-ray services, clinical laboratory services, operating room services for a variety of procedures, and pharmacy services.

II. Emission Units

Equipment to be operated consists of:

Emissions Unit ID	Stack ID	Emissions Unit Description	Size/Rated Heat Input Capacity, mmBTU/hr	Max Rated Output (Note 1)	Applicable NSR Permit
Boil-105	STBOIL-100	Nebraska Boiler NS-C-39S, 6/1/87	30.1	30,000 lb	5/9/02
Boil-106	STBOIL-100	Nebraska Boiler NS-C-39S, 3/15/86	36.0	30,000 lb	5/9/02
Boil-107	STBOIL-100	Nebraska Boiler NS-C-39, 9/15/83	37.6	30,000 lb	5/9/02
Boil-108	STBOIL-100	Nebraska Boiler NSB37, 1/15/82	24.0	20,000 lb	5/9/02
Boil-109	STBOIL-100	Cleaver Brooks 200-CT-7, Nov 94	51.0	40,000 lb	5/9/02
Boil-110	STBOIL-100	Cleaver Brooks 200-CT-7, Nov 94	51.0	40,000 lb	5/9/02
ICGF-002	STICGF-002, Bldg 20	Cummins Engine KTTA50-G2, May 95	10.2	1,000 kW (72%)	5/9/02
ICGF-003	STICGF-003, Bldg 20	Cummins Engine KTTA50-G2, May 95	10.2	1,000 kW (72%)	5/9/02
ICGF-004	STICGF-004, Bldg 20	Cummins Engine KTTA50-G2, May 95	10.2	1,000 kW (72%)	5/9/02
ICGF-005	STICGF-005, Bldg 20	Cummins Engine KTTA50-G2, May 95	10.2	1,000 kW (72%)	5/9/02

ICGF-006	STICGF-006, Bldg 20	Cummins Engine KTTA50-G2, May 95	10.2	1,000 kW (72%)	5/9/02
ICGF-007	STICGF-007, Bldg 20	Cummins Engine KTTA50-G2, May 95	10.2	1,000 kW (72%)	5/9/02
ICGF-008	STICGF-008, Bldg 3	Caterpillar Engine 3408B, 1989	4.50	380 kW	5/9/02
ICGF-009	STICGF-009, Bldg 3	Caterpillar Engine 3412, 1989	3.91	330 kW	5/9/02
ICGF-010	STICGF-010, Bldg 3	Caterpillar Engine 3408B, 1989	4.50	380 kW	5/9/02
ICGF-011	STICGF-011, Bldg 275	Cummins Engine NTA-855-G2, 1993	4.06	300 kW	5/9/02
ICGF-012	STICGF-012, Bldg 150	Caterpillar Engine 3306TA, 1999	2.41	230 kW	5/9/02
ICGF-013	STICGF-013, Bldg 273	Caterpillar Engine 3306B, 1991	2.44	180 kW	5/9/02
ICGF-015	STICGF-015, Bldg 273	Caterpillar Engine 3208, 1986	2.17	160 kW	5/9/02
ICGF-017	STICGF-017, Bldg 250	Caterpillar Engine 3406, Feb 95	3.73	300 kW	5/9/02
ICGF-019	STICGF-019, Bldg 274	Cummins Engine KTA-19T2, 1993	4.74	400 kW	5/9/02
WOOD-001	NA	Woodworking Shop	NA	NA	NA
DEGS-001, 002	NA	Degreaser and Brake Cleaning Unit	NA	NA	NA

Note 1: Output units are lb steam/hr for boilers, and kW (% of prime power) electrical output for IC generator units.
 *The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Boiler Requirements

A. Limitations

1. **Emission Controls** – Boiler emissions shall be controlled by proper operation and maintenance.
(9 VAC 5-80-110 and Condition 3 of the NSR permit issued May 9, 2002)
2. **Approved Boiler Fuel** – Approved fuels for the 6 boilers (BOIL-105 through 110) are natural gas and distillate oil. Distillate oil is defined as fuel oil that meets ASTM specifications for numbers 1 or 2 fuel oil. A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition 5 of the NSR permit issued May 9, 2002)
3. **Boiler Fuel Throughput Limit** – The 6 boilers (BOIL-105 through 110), combined, shall consume no more than 700×10^6 cubic feet of natural gas or 5,430,000 gallons of distillate oil per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months. When both distillate oil and natural gas are consumed in the same consecutive 12 months, consumption shall be limited by the following:
$$\text{Gallons of oil} = (5,430,000) - ((0.007) \times (\text{ft}^3 \text{ of natural gas}))$$
$$\text{Cubic feet of natural gas} = (700,000,000) - ((143) \times (\text{gallons of oil}))$$

(9 VAC 5-80-110 and Condition 6 of the NSR permit issued May 9, 2002)
4. **Boiler Fuel Supplier Certifications** – The maximum sulfur content of the oil to be burned in the boilers (BOIL-105 through 110) shall not exceed 0.5 percent by weight per shipment. The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil to be fired in the boilers. Each fuel supplier certification shall include the following:
 - a. The name of the fuel supplier;
 - b. The date on which the oil was received;
 - c. The volume of distillate oil delivered in the shipment,
 - d. A statement that the oil complies with the American Society for Testing and Materials specifications D398-76 for fuel oil number 1 or 2; and,
 - e. The percent sulfur of the fuel.
(9 VAC 5-80-110, 40 CFR 60.48c(f)(1), and Condition 7 of the NSR permit issued May 9, 2002)

5. **Boiler Operating and Training Procedures** – Boiler operators shall be trained in the proper operation of all such equipment. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum.
(9 VAC 5-80-110 and Condition 8 of the NSR permit issued May 9, 2002)
6. **Boiler Emission Limits** – Emissions from the common stack resulting from the operation of four boilers (BOIL-105 through 108), combined, shall not exceed limits specified below:

	<u>Heat-Specific Emission Limit</u>	<u>Hourly Limit</u>
Particulate Matter	0.014 lb/mmBtu	1.8 lbs/hr
PM-10	0.007 lb/mmBtu	0.9 lb/hr
Sulfur Dioxide	0.5 lb/mmBtu	65.0 lbs/hr
Nitrogen Oxides (as NO ₂)	0.14 lb/mmBtu	18.1 lbs/hr
Carbon Monoxide	0.035 lb/mmBtu	4.5 lbs/hr
Volatile Organic Compounds	0.003 lb/mmBtu	0.4 lb/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined from operating limits as stated in condition numbers III.A.2, 3, and 4.

(9 VAC 5-80-110 and Condition 9 of the NSR permit issued May 9, 2002)

7. **Boiler Emission Limits** – Emissions from the common stack resulting from the operation of the boilers (BOIL-109 and BOIL-110) shall not exceed limits specified below:

	<u>Hourly Limit</u>
Particulate Matter	0.7 lb/hr
PM-10	0.4 lb/hr
Sulfur Dioxide	26.5 lbs/hr
Nitrogen Oxides (as NO ₂)	7.4 lbs/hr
Carbon Monoxide	1.8 lbs/hr
Volatile Organic Compounds	0.1 lb/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined from operating limits as stated in condition numbers III.A.2, 3, and 4.

(9 VAC 5-80-110 and Condition 10 of the NSR permit issued May 9, 2002)

8. **Boiler Emission Limits** – Emissions from the operation of the six boilers (BOIL-105 to Boiler-110), combined, shall not exceed limits specified below, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

Particulate Matter	5.4 tons/yr
PM-10	2.7 tons/yr
Sulfur Dioxide	194.9 tons/yr
Nitrogen Oxides (as NO ₂)	54.3 tons/yr
Carbon Monoxide	13.6 tons/yr
Volatile Organic Compounds	1.0 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined from operating limits as stated in condition numbers III.A.2, 3, and 4.

(9 VAC 5-80-110 and Condition 11 of the NSR permit issued May 9, 2002)

9. **Visible Emission Limits** – Visible emissions from each of the common stacks resulting from the operation of the boilers (BOIL-105 to BOIL-110) shall not exceed 10 percent opacity, except during one 6-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during start-up, shutdown, and malfunction.

(9 VAC 5-80-110 and Condition 12 of the NSR permit issued May 9, 2002)

B. Monitoring and Recordkeeping

1. **Visual Emissions Observations** – The permittee shall perform a monthly visual emissions observation on each boiler stack during normal operations. If such visual observation indicates any visible emissions, the permittee shall take corrective actions to eliminate the visible emissions. If such corrective action fails to eliminate visible emissions, the permittee shall conduct a visible emissions evaluation (VEE) using 40 CFR Part 60, Appendix A, Method 9 for six minutes. If the six-minute VEE opacity average exceeds 50% of the standard for a specific unit, the VEE for that unit shall continue for an additional 12 minutes. If any of the six-minute averages during the 18 minutes exceeds the standard for a specific unit, the VEE for that unit shall continue for one hour from initiation on the stack to determine compliance with the opacity limit. The permittee shall record the details of the visual emissions observations (date, time, boilers operating, fuel(s) used, name of observer, conditions during observation), VEE, a description of corrective actions performed, and the date corrective actions were performed. The records shall be kept at the facility and made available for inspection by the DEQ for the most recent five (5) year period. (9 VAC 5-80-110 E)
2. **On-Site Records** – The permittee shall maintain records of emissions data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
 - a. Daily and annual throughput of natural gas and distillate oil for each NSPS boiler (BOIL-109 and BOIL-110), monthly and annually throughput of natural gas and distillate oil for the remaining boilers (BOIL-105 through BOIL-108), and annual throughput of each fuel for the six boilers, combined, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - b. All fuel supplier certifications.
 - c. Records as necessary to demonstrate compliance with Condition III.A.1 and 2, and III.B.4.
 - d. Records of visual emissions observations, as required by Condition III.B.1.

These records shall be available for inspection by the DEQ, and shall be current for the most recent five years.

(9 VAC 5-80-110 and Condition 23 of the NSR permit issued May 9, 2002)

3. **Semi-Annual Fuel Quality Reports** – The permittee shall submit fuel quality reports for fuel combusted in the NSPS boilers (BOIL-109 and BOIL-110) to the Director, Tidewater Regional Office, within 30 days after the end of each semiannual period. If no shipments of distillate oil for these emissions units were received during the semiannual period, the quarterly report shall consist of dates included in the semiannual period, and a statement that no oil was received during the semiannual period. If distillate oil for those emissions units was received during the semiannual period, the reports shall include:

- a. Dates included in the semiannual period;
- b. Copies of fuel supplier certifications for all shipments of distillate oil for the two boilers received during the semiannual period, or a summary from each fuel supplier, that includes information specified in condition III.A.4 of this permit; and,
- c. A signed statement from the owner or operator of the facility that the fuel supplier certifications, or summaries of fuel supplier certifications, represent all of the distillate oil burned in the two boilers (BOIL-109 and BOIL-110), or received at the facility for use in those two boilers.

(9 VAC 5-80-110 and Condition 24 of the NSR permit issued May 9, 2002)

4. **Operating and Training Records** – The permittee shall maintain records of the boiler operator training including a statement of time, place and nature of training provided (reference condition III.A.5 of this permit). The permittee shall have available good written operating procedures and maintenance schedules for the boilers. These procedures shall be based on manufacturer's recommendations, at minimum. All records required by this condition shall be available for inspection by the DEQ, and shall be current for the most recent five years.

(9 VAC 5-80-110 and Condition 8 of the NSR permit issued May 9, 2002)

C. Testing

1. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.

(9 VAC 5-80-110)

2. **Testing/Monitoring Ports for Boilers** – Boilers (Boil-105 to 110) shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Test ports shall be provided at appropriate locations.

(9 VAC 5-80-110 and Condition 4 of the NSR permit issued May 9, 2002)

IV. Generator Requirements

A. Limitations

1. **Emission Controls** – The engine generator set emissions shall be controlled by proper operation and maintenance.
(9 VAC 5-80-110 and Condition 3 of the NSR permit issued May 9, 2002)
2. **Emission Controls** – Nitrogen Oxide emissions from each of the six engine generator sets (ICGF-002 to ICGF-007) shall be controlled by the use, during all operations, of an electronic governor circuit on each engine that is designed to derate each engine from a maximum capacity of 1855 HP to 1450 HP. Each generator is limited to 1250 KVA.
(9 VAC 5-80-110 and Condition 14 of the NSR permit issued May 9, 2002)
3. **Type of Engine Operations** – The fifteen (15) engine generator sets (ICGF-002 to 007, 008 to 013, 015, 017, and 019) shall be used to provide emergency electrical power to Naval Medical Center, Portsmouth, during interruptions of service, and for periodic testing. Six (6) engine generator sets (ICGF-002 to ICGF-007) may also be used to provide peaking power/co-generation.
(9 VAC 5-80-110 and Condition 15 of the NSR permit issued May 9, 2002)
4. **Approved Fuels for Engine Generators** – The approved fuels for emergency generators ICGF-002 to 013, 015, 017, and 019 are distillate oil, and “on-highway” diesel fuel. A change in fuels may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition 16 of the NSR permit issued May 9, 2002)
5. **Facility-wide Engine Generator Fuel Throughput Limit** – Engine generator sets ICFG-002 to ICFG-007, and emergency engine generator sets (ICFG-008 to 013, 015, 017, and 019), combined, shall consume no more than 784,000 gallons of fuel per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
(9 VAC 5-80-110 and Condition 17 of the NSR permit issued May 9, 2002)

6. **Engine Fuel Certification** – The maximum sulfur content of oil to be burned in the engine generators shall not exceed 0.5 percent by weight per shipment. The permittee shall obtain a certification from the fuel supplier for all deliveries of distillate oil. Such certification may cover one or more deliveries of distillate oil from the same supplier. Each fuel supplier certification for fuel delivery shall include the following:
- a. The name of the fuel supplier;
 - b. The date on which the distillate oil was received;
 - c. The volume of distillate oil delivered in the shipment; and,
 - d. A statement that the distillate oil complies with the American Society for Testing and Materials specifications for numbers 1 or 2 fuel oil, or a statement that fuel oil used by the nine small emergency generator sets (ICGF-008 to 013, 015, 017, and 019) is diesel fuel meeting “on-highway use” standards.
- (9 VAC 5-80-110 and Condition 18 of the NSR permit issued May 9, 2002)
7. **Engine Operating and Training Procedures** – Operators shall be trained in the proper operation of all such equipment. Training shall consist of a review and familiarization of the manufacturer’s operating instructions, at minimum. The permittee shall maintain records of the required training including a statement of time, place, and nature of training provided. The permittee shall have available good written operating procedures and maintenance schedules for the engines. These procedures shall be based on manufacturer’s recommendations, at minimum. All records required by this condition shall be made available for inspection by the DEQ upon request.
- (9 VAC 5-80-110 and Condition 19 of the NSR permit issued May 9, 2002)
8. **Engine Emission Limits** – Emissions from the operation of engine generator sets (ICGF-002 to ICGF-007) and emergency engine generator sets (ICFG-008 to 013, 015, 017, and 019) shall not exceed limits specified below, with annual limits calculated as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

	Hourly Limit (ICGF-002 to 007, each)	Annual Limit (combined)
Particulate Matter	3.6 lbs/hr	19.6 tons/yr
PM10	3.6 lbs/hr	19.6 tons/yr
Sulfur Dioxide	5.4 lbs/hr	29.4 tons/yr
Nitrogen Oxides (as NO ₂)	33.2 lbs/hr	180.2 tons/yr
Carbon Monoxide	6.4 lbs/hr	35.0 tons/yr
Volatile Organic Compounds	0.9 lbs/hr	5.1 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined from operating limits as stated in Condition numbers IV.A.2, 3, 4, 5, and 6.

(9 VAC 5-80-110 and Condition 20 of the NSR permit issued May 9, 2002)

9. **Engine Visible Emission Limits** – Visible emissions from the common stack from each of the six engine generator sets (ICGF-002 to ICGF-007) shall not exceed fifteen (15) percent opacity, except during one 6-minute period in any one hour in which visible emissions shall not exceed twenty (20) percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during start-up, shutdown, and malfunction.

(9 VAC 5-80-110 and Condition 21 of the NSR permit issued May 9, 2002)

10. **Engine Visible Emission Limits** – Visible emissions from the stacks of engine generators ICGF-008 to 013, 015, 017, and 019, each, shall not exceed twenty (20) percent opacity, except during on 6-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during start-up, shutdown, and malfunction.

(9 VAC 5-80-110 and Condition 22 of the NSR permit issued May 9, 2002)

B. Monitoring

1. Periodic visual observations of stack emissions shall be conducted at least monthly on operational engine generators ICGF-002 to 007, during periods of normal facility preventive maintenance, for a sufficient time to determine the presence of visible emissions. Visual observations shall be conducted monthly on each of the operational emergency engine generators (ICGF-008 to 013, 015, 017, and 019) that operated in excess of 100 hours during the previous calendar year. The visual observations shall be performed during periods of normal engine preventive maintenance, for a sufficient time to determine the presence of visible emissions. Records shall include, at a minimum, the date, time, emissions unit ID, observation results, and observer's name. Performance of periodic visual observations does not require smoke school training. The record shall characterize the observed engine exhaust as "Clear", "Slight", or "Visible Smoke" (and note the percent opacity if the observer is a qualified smoke reader). If "visible smoke" is noted, the record shall also indicate:

- a. The color of the emissions (black or white);
- b. Whether the emissions are representative of normal operation;
- c. If not representative of normal operations, the cause of abnormal emissions;
- d. The duration of any visible emissions incident; and

- e. Any corrective actions taken to eliminate visible emissions.

The permittee shall perform an annual visible emissions evaluation for each of six peaking/cogeneration engines (ICGF-002 to 007) in accordance with 40 CFR 60, Appendix A, Method 9, to establish baselines for expected visible emissions. The annual visible emissions evaluation shall be performed for at least a 6 minute period of time.

(9 VAC 5-80-110 K)

C. Recordkeeping and Reporting

1. **On-Site Records for Engine Generators** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
 - a. Monthly and annual fuel used in the six engine generator sets (ICGF-002 to ICGF-007), combined, with annual fuel calculated monthly as the sum of each consecutive 12-month period, based on engine fuel meter records. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - b. Calculated monthly and annual diesel fuel used for emergency engine generators (ICGF-008 to ICGF-013, 015, 017, and 019), with annual fuel calculated monthly as the sum of each consecutive 12-month period, combined, based on engine operating hour meter log records, and a maximum assumed hourly fuel rate for each engine based on each engine's maximum rated heat input capacity. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - c. Records of maximum electric load production levels for engines ICGF-002 to 007, sufficient to demonstrate continuing compliance with Condition III.A.2.
 - d. Written operating procedures for the engine generator sets.
 - e. All engine fuel supplier certifications.

- f. Records of periodic visual observations and Method 9 visible emissions evaluations.

These records shall be available for inspection by the DEQ, and shall be current for the most recent five years.

(9 VAC 5-80-110 and Condition 23 of the NSR permit issued May 9, 2002)

D. Testing

1. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.

(9 VAC 5-80-110)

2. **Testing/Monitoring Ports for Engine Generators** – The engine generators (ICGF-002 to ICGF-007) shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Test ports shall be provided at appropriate locations.

(9 VAC 5-80-110 and Condition 4 of the NSR permit issued May 9, 2002)

V. Woodworking Equipment Requirements (WOOD-001)

A. Limitations

1. Particulate emissions shall not be discharged into the atmosphere from woodworking operations without providing, as a minimum, adequate ductwork and properly designed collectors or other such devices, as approved by the board.
(9 VAC 5-80-110 and 9 VAC 5-40-2270A)
2. Particulate emission from the operation of woodworking equipment shall not exceed 0.05 grains per dry standard cubic foot of exhaust gas.
(9 VAC 5-80-110 and 9 VAC 5-40-2270B)
3. Visible emissions from the collector vent for woodworking operations shall not exceed twenty (20) percent opacity, except during one 6-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during start-up, shutdown, or malfunction.
(9 VAC 5-80-110 and 9 VAC 5-50-80)

B. Monitoring and Recordkeeping

1. The permittee shall inspect the emissions capture and control device, and ductwork, semiannually (not less than two months between inspections) for evidence of wear which could lead to equipment failure. This inspection shall include a visible emissions check at the cyclone exhaust during normal equipment operation, and while equipment is operating. If visible emissions are present, the permittee shall perform an EPA Method 9 visible emissions evaluation for a minimum of 6 minutes (reference 40 CFR 60, Appendix A). Corrective action shall be completed as necessary and as indicated by the Method 9 visible emissions evaluation. The system should be periodically checked to ensure the sawdust drum is not full.
(9 VAC 5-80-110)
2. The permittee shall maintain records of the following:
 - a. each periodic visible emissions check;
 - b. any corrective action taken on the cyclone or exhaust duct system; and,
 - c. any Method 9 visible emissions evaluation performed on the cyclone exhaust.

These records shall be available for inspection by the DEQ, and shall be current for the most recent five years.

(9 VAC 5-80-110)

C. Testing

1. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.
(9 VAC 5-80-110)

VI. Cold Cleaning Degreaser Requirements (DEGS-001) and Brake Cleaning Unit Requirements (DEGS-002)

A. Limitations

1. The cold cleaning degreaser (DEGS-001) and the brake cleaning unit (DEGS-002) shall each be equipped with a control method that will remove, destroy or prevent discharge into the atmosphere of at least 85% by weight of volatile organic compound emissions.
(9 VAC 5-80-110 and 9 VAC 5-40-3280C)
2. Cold cleaning degreaser (DEGS-001) and brake cleaning unit (DEGS-002) shall employ the following as necessary to meet the control requirements of Condition VI.A.1.:
 - a. Covers or enclosed remote reservoirs shall be provided. Covers should be designed so they can be easily operated with one hand. (Covers for larger degreasers may require mechanical assistance, by spring loading, counterweighting, or powered systems). Enclosed remote reservoirs should be designed such that they provide reduction effectiveness equivalent to that of a cover.
 - b. External or internal drainage facilities shall be provided to collect and return solvent to a closed container or a solvent cleaning machine. If solvent volatility is greater than 0.6 psi measured at 100°F, then drainage facilities should be internal, so that parts are enclosed under the cover while draining. The drainage facilities may be external for applications where an internal type cannot fit into the cleaning system.
 - c. A permanent label, summarizing operating procedures specified in Conditions VI.A.3.a through VI.A.3.c. of this section, shall be placed in a conspicuous location on or near the degreaser.
 - d. If used, the solvent spray shall be a solid, fluid stream (not a fine, atomized or shower type spray) and at a pressure which does not cause excessive splashing.
 - e. If a solvent volatility is greater than 0.6 psi measured at 100°F, or if solvent is heated above 120°F, then the degreaser (if the open area is greater than 20 feet) shall be equipped with one of the following vapor control methods:
 - (1) Freeboard ratio that is equal to or greater than 0.7;
 - (2) Water cover (solvent should be insoluble in and heavier than water);

- (3) Refrigerated chiller (a secondary set of condensing coils operating with a coolant of less than 40°F);
- (4) Carbon adsorption system, with ventilation of 50 cfm/ft or greater of air/vapor area (when down-time covers are open), and exhausting less than 25 ppm of solvent by volume averaged over a complete adsorption cycle; or,
- (5) Any method equal or greater in control efficiency to method sin Conditions VI.A.2.e(1) to (4) of this section, provided such method is approved by the board.

(9 VAC 5-80-110 and 9 VAC 5-40-3290C.1(a)-(e))

- 3. The permittee shall operate degreasers consistent with good operating practices including the following:
 - a. Waste solvent shall not be disposed of, or transferred to another party, such that greater than 20% of the waste (by weight) can evaporate into the atmosphere. Waste solvent shall only be stored in closed containers.
 - b. Degreaser covers shall be closed whenever not handling parts in the cleaners.
 - c. Cleaned parts shall drain for at least 15 seconds or until dripping ceases.

(9 VAC 5-80-110 and 9 VAC 5-40-3290C.2)

- 4. The permittee shall dispose of waste solvent from solvent metal cleaning operations by one of the following methods:
 - a. Reclamation (either by outside services or in-house).
 - b. Incineration.

(9 VAC 5-80-110 and 9 VAC 5-40-3290D)

B. Testing

- 1. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.

(9 VAC 5-80-110)

VII. Insignificant Emission Units

The following emissions units at the facility are identified in the application as insignificant emissions units under 9 VAC 5-80-720:

Emissions Unit No.	Emissions Unit Description	Citation Code*	Pollutant(s) Emitted (5-80-720 B)	Rated Capacity (5-80-720C)
FREN-001	Freon Recovery Unit	2	CFC-12	NA
FREN-002	Freon Recovery Unit	2	HCFC-123	NA
FREN-003	Freon Recovery Unit	2	CFC-12, CFC-22	NA
FREN-004	Freon Recovery Unit	2	CFC-12, CFC-22	NA
FREN-005	Freon Recovery Unit	2	CFC-12, CFC-22	NA
FREN-006	Freon Recovery Unit	2	CFC-12, CFC-22	NA
FREN-007	Freon Recovery Unit	2	CFC-12, CFC-22	NA
GSTA-001	Vehicle Maintenance Facility Gasoline/Diesel Pumping Tank	2	2,2,4-Trimethylpentane, Benzene, Ethylbenzene, Hexane, Toluene, VOC, Xylenes (mixed isomers)	NA
LABS-ALL	Lab Hoods in the Charette Health Care Center	2	Formaldehyde, Methanol, VOC, Xylenes(mixed isomers)	NA
LABS-012	Still Room, Sterilization Material Recycling Process in the Central Energy Plant (Bldg 20)	2	Formaldehyde, VOC, Xylenes (mixed isomers)	NA
MISC-003	Masonry Shop	1	PM, PM ₁₀	NA
OCOM-ALL	Space Heaters (<0.3 mmBTU/hr)	1	Carbon monoxide, PM, PM ₁₀ , NO _x , SO _x , VOC	NA
TNKA-002	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-003	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-008	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA

TNKA-009	Distillate Fuel Oil No. 2 Storage Tank (55,000 gallons)	2	VOC	NA
TNKA-010	Distillate Fuel Oil No. 2 Storage Tank (55,000 gallons)	2	VOC	NA
TNKA-011	Distillate Fuel Oil No. 2 Storage	2	VOC	NA
TNKA-018	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-019	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-020	PWC 2,000 gallon Gasoline Storage Tank	2	VOC	NA
TNKA-022	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-024	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-025	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-026	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-027	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-028	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-029	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-030	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-031	MWR 250 gallon Gasoline Tank	2	VOC	NA

TNKA-032	Horizontal Fixed Roof, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-004	Horizontal Underground, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-006	Horizontal Underground, Distillate Fuel Oil No. 2 Storage Tank	2	VOC	NA
TNKA-013	Horizontal Underground, Lubrication Oil Storage Tank	2	VOC	NA
TNKA-014	Horizontal Underground, Waste Oil Storage Tank	2	VOC	NA
SOLD-001	Soldering/Brazing	1	PM, PM10	NA
WELD-001	Welding Rods: A) 14Mn-4Cr, B) E70S, C) ER316, D) 4043.	1	PM, PM10	NA
WSTL-001	Tank Secondary Containment Oil/Water Separator for TNKA-010	2	VOC	NA
WSTL-002	Tank Secondary Containment Oil/Water Separator for TNKA-011	2	VOC	NA

*Citation Codes:

- 1 Named insignificant emissions unit
- 2 Insignificant by virtue of emission levels
- 3 Insignificant by size or production level (rated capacity)

These emissions units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emissions units in accordance with 9 VAC 5-80-110.

VIII. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
<i>None identified in renewal application</i>		

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9 VAC 5-80-140)

IX. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.(9 VAC 5-80-110 F)
2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9 VAC 5-80-110 F)
3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
 - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
 - b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - (1) Exceedance of emissions limitations or operational restrictions;
 - (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.
7. One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Tidewater Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. [Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40.] The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3 of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Tidewater Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Regional Office.

(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.

(9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.

(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.

(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.

(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.

(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
 3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.
- (9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
 3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
 4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.
- (9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C and 9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).

(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.
(9 VAC 5-80-110 I)

X. State-Only Enforceable Requirements

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

1. 9 VAC 5-40-140 – Existing Source Standard for Odor
2. 9 VAC 5-50-140 – New and Modified Source Standard for Odorous Emissions
3. 9 VAC 5, Chapter 60, Article 4 – Toxic Pollutants from Existing Sources
4. 9 VAC 5, Chapter 60, Article 5 – Toxic Pollutants from New and Modified Sources
(9 VAC 5-80-110 N and 9 VAC 5-80-300)